

PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 11B01.2C6 (V.B.3.1) to permit 13 feet between dwellings in lieu of the required 16 feet; also amend lot 4B to build outside of the envelope, (1 foot from side property line).

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

1. Can not afford to move.
2. Changing house so mother-in-law can move in.
3. Do not have a basement to store property.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and I further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: (Type or Print Name) _____
 Signature _____
 Address _____
 City and State _____
 Attorney for Petitioner: (Type or Print Name) _____
 Signature _____
 Address _____
 City and State _____
 Attorney's Telephone No.: _____
 Address _____
 Phone No. _____

ORDERED BY The Zoning Commissioner of Baltimore County, this 15th day of February, 1988, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 3rd day of February, 1988, at 9 o'clock a.m.

ESTIMATED LENGTH OF HEARING 1/2 HR. *1 HR. J. Robert Haines
 AVAILABLE FOR HEARING MON./TUES./WED. - NEXT TWO MONTHS Zoning Commissioner of Baltimore County.
 ALL OTHER DATE (over)
 REVIEWED BY: CDC

Mr. & Mrs. Edward M. Krystofiak
 8607 Saxon Circle
 Perry Hall, Maryland 21128

RE: Petition for Zoning Variance
 3/3 Saxon Circle, 264' N of Beaconfield Road
 11th Election District; 5th Councilmanic District
 Case No. 88-290-A

Dear Mr. & Mrs. Krystofiak:

Enclosed please find the decision rendered in the above-referenced case. The Petition for Zoning Variance has been Granted, subject to the restrictions noted in the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal to the County Board of Appeals. For further information on filing an appeal, please contact this office.

Very truly yours,

ANN M. NASTAROWICZ
 Deputy Zoning Commissioner
 of Baltimore County

AMN:js

cc: People's Counsel

File

IN RE: PETITION FOR ZONING VARIANCE
 3/3 Saxon Circle, 264' N of Beaconfield Road
 11th Election District
 5th Councilmanic District
 Edward M. Krystofiak, et ux
 Petitioners

BEFORE THE
 DEPUTY ZONING COMMISSIONER
 OF BALTIMORE COUNTY
 Case No. 88-290-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance to permit 13 feet between dwellings in lieu of the required 16 feet; and to amend Lot #4B to permit construction outside of the building envelope (1 foot from the side property line) for a proposed garage, as more particularly described on Petitioner's Exhibit 1.

The Petitioners appeared and testified. There were no Protestants.

Based upon the testimony and evidence presented at the hearing, and the representation that none of the buildings shown on Petitioner's Exhibit 1 exceed 20 feet in height, all of which was uncontradicted, in the opinion of the Deputy Zoning Commissioner, the relief requested sufficiently complies with the requirements of Section 307 of the Baltimore County Zoning Regulations (B.C.Z.R.) and therefore, the variances should be granted. There is no evidence in the record that the subject variances would adversely affect the health, safety, and/or general welfare of the public. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, in the opinion of the Deputy Zoning Commissioner, the requested variances should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 17th day of February, 1988 that a variance to permit 13 feet between dwellings in lieu of the required 16 feet, and an amendment to Lot #4B to

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 11th Date of Posting: 1/17/88
 Posted for: Variance
 Petitioner: Edward M. Krystofiak
 Location of property: 3/3 Saxon Circle, 264' N of Beaconfield Rd.
 Location of Sign: 8607 Saxon Circle, across 15' E. of Beaconfield Rd.
 Remarks: *[Signature]*
 Posted by: *[Signature]* Date of return: 1/18/88
 Number of Signs: 1

CERTIFICATE OF PUBLICATION

TOWSON, MD., Jan. 14, 1988
 THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on Jan. 14, 1988.

THE JEFFERSONIAN,

[Signature]
 Publisher

NOTICE OF HEARING
 The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property described below in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland on Tuesday, February 2, 1988 at 9:00 a.m. Case number 88-290-A. 3/3 Saxon Circle, 264' N of Beaconfield Road (8607 Saxon Circle) 11th Election District - 5th Councilmanic District. Edward M. Krystofiak - Petitioner. DATES/TIME: WEDNESDAY, FEBRUARY 3, 1988 at 9:00 a.m. In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in the office by the date of the hearing set above or presented at the hearing.

J. ROBERT HAINES
 Zoning Commissioner
 of Baltimore County
 1006 Jan. 14

permit construction outside of the building envelope (1 foot from the side property line) for a proposed garage, in accordance with Petitioner's Exhibit 1, be approved, and as such, the Petition for Zoning Variance is hereby GRANTED, subject, however, to the following restrictions:

- 1) The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.
- 2) The proposed garage shall not contain separate kitchen facilities and/or independent living facilities at any time. If this restriction is violated at any time, the variances granted herein shall be rescinded and Petitioners may be ordered to restore the property to its present condition.

ANN M. NASTAROWICZ
 Deputy Zoning Commissioner
 of Baltimore County

Baltimore County
 Zoning Commissioner
 Office of Planning & Zoning
 Towson, Maryland 21204
 494-5352

J. Robert Haines
 Zoning Commissioner

November 26, 1987 1/25/88

Mr. Edward M. Krystofiak
 8607 Saxon Circle
 Baltimore, Maryland 21228

Re: Case number 88-290-A
 3/3 Saxon Circle 264' N of Beaconfield Road
 (8607 Saxon Circle)
 11th Election District - 5th Councilmanic District
 Edward M. Krystofiak - Petitioner

Dear Mr. Krystofiak:

Please be advised that \$89.66 is due for advertising and posting of the above-referenced property. All advertising and posting fees must be paid prior to the hearing. Do not remove the sign from the property from the time it is posted by this office until the day of the hearing itself.

THIS FEE MUST BE PAID AND THE ZONING SIGN AND POST RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Please make your check payable to Baltimore County, Maryland and forward 13, Towson, Maryland 21204.

BALTIMORE COUNTY, MARYLAND No. 45941
 OFFICE OF FINANCE - REVENUE DIVISION
 MISCELLANEOUS CASH RECEIPT
 DATE: 1/25/88 ACCOUNT: 100-675
 AMOUNT: \$ 89.66
 RECEIVED FROM: *[Signature]*
 FOR: Posting & Advertising 2/3/88 hearing date
 VALIDATION OR SIGNATURE OF CASHIER

ZONING DESCRIPTION

Beginning on the south side of saxon circle 50 feet wide, at the distance of 264 feet north of the center line of Beaconfield Road. Being lot 4, block B in the subdivision of Nottingham Village. Book No. 38. Folio 49. Also known as 8607 Saxon Circle in the 11th Election District.

CERTIFICATE OF PUBLICATION Office of THE AVENUE NEWS

412 Eastern Blvd.
 P.O. Box 21221

JAN 14, 1988

THIS IS TO CERTIFY, that the annexed advertisement of

was inserted in The Avenue News a weekly newspaper published in Baltimore County, Maryland once a week for successive weeks before the 15th day of JAN 19 88, that is to say, the same was inserted in the issues of 10-14-19 88.

244.27

The Avenue Inc.
 per publisher

By *[Signature]*

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Case number: 88-290-A
 3/3 Saxon Circle 264' N of Beaconfield Road
 (8607 Saxon Circle)
 11th Election District - 5th Councilmanic District
 Edward M. Krystofiak - Petitioner
 DATE/TIME: WEDNESDAY, FEBRUARY 3, 1988 at 9:00 a.m.

Variance to permit 13 feet between dwellings in lieu of the required 16 feet; also amend lot 4B to build outside of the envelope, (1 foot from side property line).

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

BALTIMORE COUNTY, MARYLAND No. 41693
 OFFICE OF FINANCE - REVENUE DIVISION
 MISCELLANEOUS CASH RECEIPT

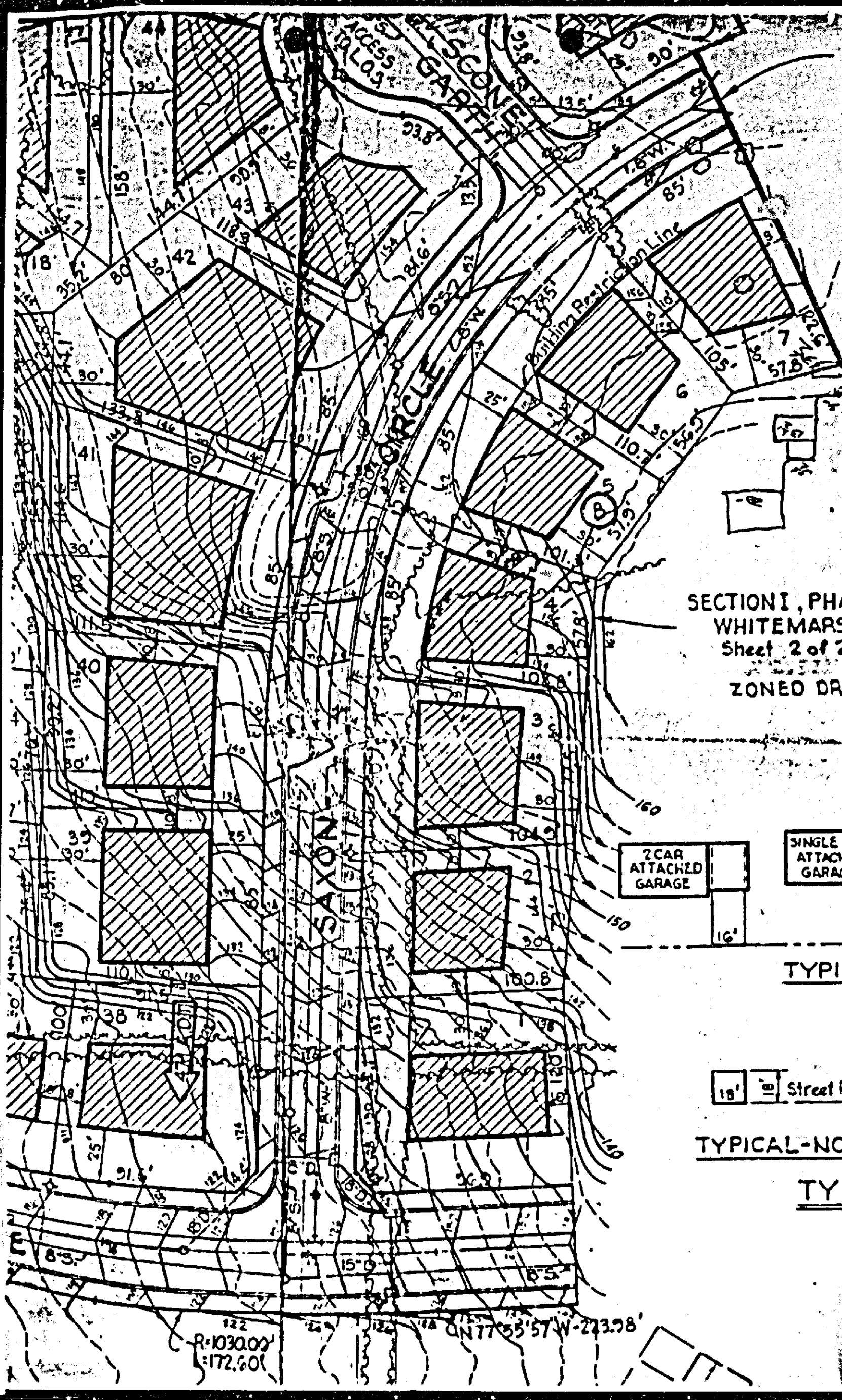
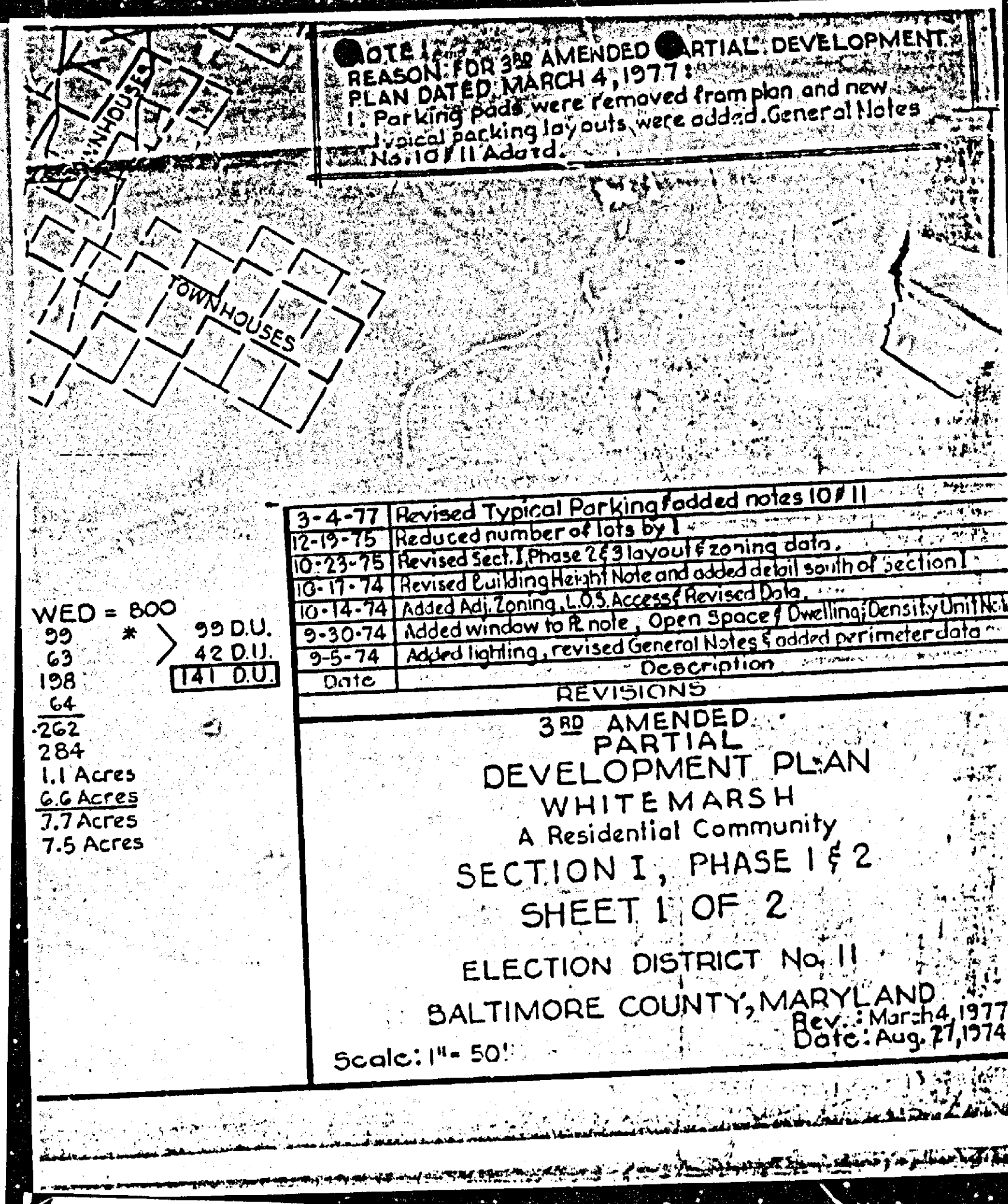
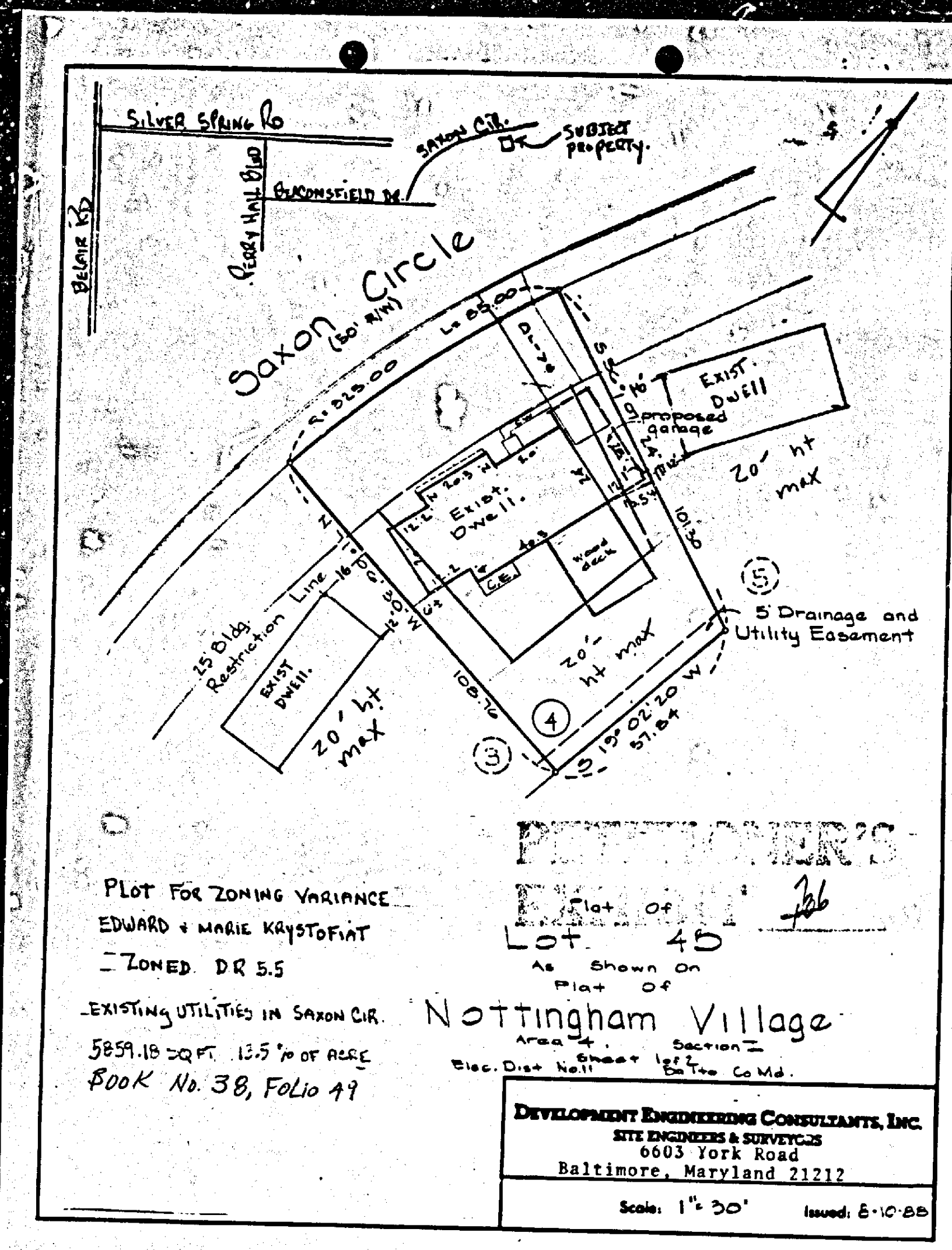
DATE: 1-25-88 ACCOUNT: 100-675

AMOUNT: \$ 89.66

RECEIVED FROM: *[Signature]*

FOR: *[Signature]*

VALIDATION OR SIGNATURE OF CASHIER



Baltimore County
 Fire Department
 Towson, Maryland 21204-2586
 494-4500

Paul H. Rebeck
 Chief

October 27, 1987

J. Robert Haines
 Zoning Commissioner
 Office of Planning and Zoning
 Baltimore County Office Building
 Towson, MD 21204

Re: Property Owner: Edward M. Krystofiat, et ux
 Location: S/S Saxon Circle, 264' N. of Broomfield Road
 Item No.: 136
 Zoning Agenda: Meeting of 10/20/87

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

1. Fire hydrants for the referenced property are required and shall be located at intervals or _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
2. A second means of vehicle access is required for the site.
3. The vehicle dead end condition shown at _____ EXCEEDS the maximum allowed by the Fire Department.
4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code," 1976 edition prior to occupancy.
6. Site plans are approved, as drawn.
7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: *[Signature]* Noted and Approved: *[Signature]*
 Planning Group Fire Prevention Bureau
 Special Inspection Division

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Mr. J. Robert Haines
 TO: Zoning Commissioner
 FROM: Norman E. Gerber, AICP
 Director of Planning and Zoning

Date: December 16, 1987

Zoning Petition Nos. 88-285-A, 88-286-A,
 SUBJECT: 88-298-A, 88-292-A, 88-293-A, 88-294-SHA

There are no comprehensive planning factors requiring comment on this petition.

[Signature]
 Norman E. Gerber, AICP
 Director

JCH:dme
 cc: Ms. Shirley M. Hess, Legal Assistant, People's Counsel
 File

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

January 29, 1988

Mr. Edward M. Krystofiat
 8607 Saxon Circle
 Baltimore, Maryland 21228

RE: Item No. 136 - Case No. 88-290-A
 Petitioner: Edward M. Krystofiat, et ux
 Petition for Zoning Variance

Dear Mr. Krystofiat:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above-referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,
[Signature]
 JAMES E. DYER
 Chairman
 Zoning Plans Advisory Committee

JED:kbb
 Enclosures
 cc: Development Engineering Consultants, Inc.
 6603 York Road
 Baltimore, Maryland 21212

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
 111 W. Chesapeake Avenue
 Towson, Maryland 21204

Your petition has been received and accepted for filing this
 18th day of November, 1987.

[Signature]
 J. Robert Haines
 ZONING COMMISSIONER

Petitioner: Edward M. Krystofiat, et ux received by: *[Signature]*
 Petitioner's Attorney: James E. Dyer
 Chairman, Zoning Plans Advisory Committee

Baltimore County
 Department of Public Works
 Bureau of Traffic Engineering
 Courts Building, Suite 405
 Towson, Maryland 21204
 494-3354

November 10, 1987

Zoning Commissioner
 County Office Building
 Towson, Maryland 21204

Dear Zoning Commissioner:

The Bureau of Traffic Engineering has no comments for items number 130, 131, 132, 133, 134, 135, 136, 137, and 138.

Very truly yours,
[Signature]
 Michael S. Flanagan
 Traffic Engineer Associate



2

3

WILLIAM RONALD ANDERSON
410 Blossom Lane
Glen Burnie, Maryland 21061
(301) 768-0240

EXPERIENCE

1983-present

The Riemer Group, Inc.
Chief of Survey to oversee field crews participating in boundary, topographic and location surveys, oversee and supervise preparation of record plats, topographic maps, zoning plats

1978-1983

Self Employed
Consultant for field survey for several civil engineering firms

1965-1978

Shalves and Wimmer Engineers and Land Surveyors
Participated in boundary surveys topographic surveys and hydrographic surveys

EDUCATION

1970-1971

Anne Arundel Community College
-- Computer Data Processing

1965-1968

Anne Arundel Community College
-- Business Administration

WILLIAM R. ANDERSON
RESUME
2